

Tuesday, January 9, 2007

House Meets At...	Votes Predicted At...
10:30 a.m. for Morning Hour 12:00 p.m. for Legislative Business	First Vote: Not Before 3:00 p.m.  Last Vote: Around 6:00 p.m.
Unlimited "One-Minutes" Per Side	

### Floor Schedule and Procedure

- **Suspension Bill (H.Res. 15)**: Today, the House will consider H.Res. 15 on the Suspension calendar. Bills considered on the Suspension calendar are debatable for 40 minutes; may not be amended; and require a two-thirds vote for passage. If a recorded vote is requested on the resolution, it will be postponed:
  1. H.Res. 15 - Mourning the passing of President Gerald Rudolph Ford and celebrating his leadership and service to the people of the U.S. (Reps. Ehlers, Pelosi, Hoyer, Boehner, Dingell – Oversight and Government Reform)
- **Implementing the 9/11 Commission Recommendations (H.R. 1)**: The House will consider a bill implementing the 9/11 Commission recommendations that will be managed by Homeland Security Committee Chair Bennie Thompson (40 minutes), Foreign Affairs Committee Chair Tom Lantos (30 minutes), and Armed Services Committee Chair Ike Skelton (20 minutes) or their designees. Under the rule (H.Res. 6) passed last week, the bill will be considered in the following order:
  - 3 hours of debate.
  - 10 minutes of debate on the motion to recommit.
  - Vote on motion to recommit. **Democrats are urged to vote NO.**
  - Vote on passage of H.R. 1. **Democrats are urged to vote YES.**
- **Select Intelligence Oversight Panel (H.Res. 35)**: The House will also consider a resolution to create a Select Intelligence Oversight Panel that will be managed by Rules Committee Chair Louise Slaughter or her designee. Under the rule (H.Res. 6) passed last week, the bill will be considered in the following order:
  - 1 hour of debate.
  - Vote on motion to recommit (note this motion may not contain instructions). **Democrats are urged to vote NO.**
  - Vote on passage of H.Res. 35. **Democrats are urged to vote YES.**

## **Bill Summary and Key Issues**

**Implementing the 9/11 Commission Recommendations (H.R. 1)**: The bill implements the bipartisan 9/11 Commission's recommendations and requires, within five years, 100% scanning of U.S.-bound shipping containers. Following are highlights of some of the bill's key provisions.

- **Improving Homeland Security**:
  - **Risk-Based Funding**: Providing Risk-Based Allocation of Homeland Security Grants. Last December, the 9/11 Commissioners gave an "F" grade to the Administration and Congress on providing risk-based homeland security funding. This bill would substantially increase the share of homeland security grants that are provided to states based on risk, rather than population. Under the bill, a Department of Homeland Security risk assessment would determine each state's funding and most states would be guaranteed a minimum of 0.25%. The bill would provide for a larger minimum (0.45%) for states that have a significant international land border and/or adjoin a body of water within North America that contains an international boundary line.
  - **First Responders**: Ensuring Communications Interoperability for First Responders. Last December, the 9/11 Commissioners also gave an "F" grade to the Administration and Congress on communications interoperability for first responders. This bill would improve the communications capabilities of first responders by establishing a stand-alone communications interoperability grant program at the Department of Homeland Security to provide first responders with the type of equipment that allows them to communicate with one another during emergencies.
  - **Aviation Security**: Inspecting Cargo Carried Aboard Passenger Aircraft. The 9/11 Commissioners gave a "D" grade to the Administration and Congress for their efforts on enhancing air cargo screening. This bill directs the Department of Homeland Security (DHS) to establish a system for inspecting 100% of cargo carried on passenger aircraft over the next three years. The bill directs DHS to develop a phased-in approach so that by the end of FY 2007, 35% of this cargo is inspected; by the end of FY 2008, 65% is inspected; and by the end of FY 2009, 100% is inspected.
  - **Improving the Explosive Screening of Checked Baggage on Aircraft**. The 9/11 Commissioners also gave a "D" grade to the Administration and Congress on improving the security of checked baggage. This bill continues the dedication of \$250 million per year currently collected in airport security fees from the Aviation Security Capital Fund for the installation of in-line explosive detection systems for checked baggage at our nation's airports for fiscal years 2008 through 2011.
  - **Improving the Explosive Screening of Airline Passengers**. The 9/11 Commissioners gave a "C" grade to the Administration and Congress on improving airline passenger screening checkpoints to detect explosives. The bill requires the Department of Homeland Security to issue a strategic plan for the deployment of explosive detection equipment at passenger checkpoints that is long overdue. The bill also provides new funding in order to make rapid improvements to security measures at passenger checkpoints.

- Port Security: Requiring 100% Scanning of Containers Bound for the U.S. The bill goes beyond the 9/11 Commission's recommendations by including provisions that would phase in a requirement for 100% scanning of cargo containers bound for the United States. This provision would require that 100% of cargo containers be scanned and sealed using the best available technology before being loaded onto ships destined for the United States. The containers must be scanned by both X-ray machines and radiation detectors. Large ports would be given three years to comply and smaller ports five years. (Two of the busiest port terminals in the world – in Hong Kong – already scan 100% of cargo containers.)
- Critical Infrastructure Security: Improving Critical Infrastructure Security. The 9/11 Commissioners gave a "D" grade to the Administration and Congress for their efforts on critical infrastructure assessment. This bill requires the Department of Homeland Security to conduct an annual vulnerability assessment for all critical infrastructure sectors. It also requires DHS to annually update the National Asset Database to ensure that it is a current list of national assets and critical infrastructure.
- Overall Transportation Security Planning: Improving Transportation Security Planning and Information Sharing. The 9/11 Commissioners gave a "C-" grade to the Administration and Congress on the National Strategy for Transportation Security, arguing that it was too vague to be useful. This bill requires improvements in the National Strategy for Transportation Security, such as by requiring DHS to develop risk-based priorities for transportation security initiatives based on vulnerability assessments conducted by the Department. It also requires DHS to develop a Strategic Information Sharing Plan for transportation in order to significantly improve the sharing of security information with all transportation stakeholders.
- Information Sharing: Strengthening Intelligence and Information Sharing with Local Law Enforcement. The 9/11 Commissioners gave a "D" grade on government information sharing. This bill contains several provisions to strengthen intelligence and information sharing with local law enforcement. First, it strengthens state and local intelligence "fusion" centers, which have been established to gather, analyze and disseminate potentially homeland security-relevant information to appropriate state and local officials. Second, it strengthens the presence of federal agencies, such as the Border Patrol, at fusion centers in border states. Thirdly, it improves the Department of Homeland Security's Information Sharing Programs.
- Terrorist Travel: Strengthening Efforts to Prevent Terrorist Travel. The 9/11 Commissioners gave an "Incomplete" grade on preventing terrorist travel. This bill improves the capabilities of the Human Smuggling and Trafficking Center by authorizing additional funding to stem human smuggling, human trafficking, and terrorism travel, including requiring the hiring of experienced intelligence analysts in the field of human trafficking and terrorist travel.

- Preventing Terrorists from Acquiring WMD:
  - Preventing the Proliferation of WMD and Terrorism. The 9/11 Commissioners gave a “D” to the Administration and Congress on preventing the proliferation of WMD and terrorism. This bill includes numerous provisions to address this issue, including: strengthening DOD’s Cooperative Threat Reduction (or “Nunn-Lugar”) program that focuses on nuclear materials in the former Soviet Union; strengthening the Energy Department’s Global Threat Reduction Initiative; providing for reforms, increased tools and greater oversight over the Proliferation Security Initiative, through which the United States and participating countries interdict WMD; establishing a U.S. Coordinator for the Prevention of WMD Proliferation and Terrorism, who would serve as an advisor to the President on all WMD proliferation issues; and requiring the establishment of a blue-ribbon Commission on the Prevention of WMD Proliferation and Terrorism, consisting of experts appointed by both Congress and the President and mandated to develop a clear and comprehensive strategy on preventing WMD proliferation.
  - Enacting “The Nuclear Black Market Counter-Terrorism Act.” The bill includes “The Nuclear Black Market Counter-Terrorism Act,” which requires the President to impose sanctions on any foreign person who trades nuclear enrichment technology to a non-nuclear weapons state or provides items that contribute to the development of a nuclear weapon by a non-nuclear weapons state or any foreign person. Sanctions include prohibiting foreign assistance to such person; prohibiting the export of defense articles, defense services, or dual use items; and prohibiting contracts. These provisions also provide that U.S. assistance should only be provided to countries that are not cooperating with countries or individuals who are engaged in, planning or assisting any terrorist group in the development of nuclear weapons; and to countries that are completely cooperating with the U.S. in its efforts to eliminate nuclear black-market networks. This title also includes enhanced oversight over U.S. efforts to break up nuclear black markets.
- Strategies for Reducing the Appeal of Extremism:
  - Quality Educational Opportunities: Promoting Quality Educational Opportunities in Arab and Predominantly Muslim Countries. The 9/11 Commissioners gave a “D” grade regarding increasing secular educational opportunities in Muslim countries. This bill would significantly enhance the International Arab and Muslim Youth Opportunity Fund, which is designed to improve educational opportunities for these youth, by calling for greater funding and outlining specific purposes for the fund. Under the bill, the fund would be used for such purposes as enhancing modern educational programs; funding training and exchange programs for teachers, administrators, and students; and providing other types of assistance such as the translation of foreign books, newspapers and other reading materials into local languages.
  - Democracy and Development: Promoting Democracy and Development in Arab and Predominantly Muslim Countries. This bill would authorize the Secretary of State to designate an appropriate private, non-profit U.S. organization as the Middle East Foundation and to provide funding for the foundation through the Middle East Partnership Initiative. The purpose of this foundation would be to support, in the countries of the Middle East, the expansion of civil society; opportunities for political participation of all citizens; protections for

internationally recognized human rights; reforms in education; independent media; policies that promote economic opportunities for all citizens; the rule of law; and democratic processes of government. It also requires the Secretary to develop five-year strategies on fostering human rights and democracy in order to require a long-term approach to the promotion of democracy.

- Restoring U.S. Moral Leadership: Advancing U.S. Interests Through Public Diplomacy. The 9/11 Commissioners gave a “C” grade for providing a clear U.S. message abroad. This bill calls for the U.S. to improve its communication of ideas and information to people in countries with significant Muslim populations, for U.S. public diplomacy to reaffirm U.S. commitment to democratic principles, and for a significant expansion of U.S. international broadcasting that is targeted to countries with significant Muslim populations. The measure also provides for “surge” authority to allow the Broadcasting Board of Governors to better address emerging situations and opportunities.
- Expansion of U.S. Scholarship, Exchange, and Library Programs in Arab and Predominantly Muslim Countries. The 9/11 Commissioners gave a “D” grade regarding expanding U.S. scholarship, exchange and library programs in Muslim countries. This bill requires the Secretary of State to prepare a report on the 9/11 Commission’s recommendations on these U.S. scholarship, exchange and library programs, including a certification by the Secretary that such recommendations have been implemented, or if a certification cannot be made, what steps have been taken to implement such recommendations. The bill also requires the GAO to review the government’s efforts in this area.
- Developing Common Coalition Standards for Terrorist Detention. The 9/11 Commission recommended that the U.S. develop a common coalition approach on standards for terrorist detention. Last December, the 9/11 Commissioners then gave the Administration and Congress an “F” grade for failing to do so. This bill requires the Secretary of State, in consultation with the Secretary of Defense and the Attorney General, to submit to Congress a report on progress being made to develop such an approach.
- U.S. Relationship with Saudi Arabia, Pakistan, and Afghanistan: Supporting Reform in Saudi Arabia. The 9/11 Commissioners gave a “D” grade to the Administration and Congress on promoting reform in Saudi Arabia. This bill calls for the U.S. to engage Saudi Arabia on openly confronting the issue of terrorism; to enhance counterterrorism cooperation with Saudi Arabia; and to support Saudi Arabia’s efforts to make political, economic, and social reforms throughout the country. The measure also requires the President to report on whether the Administration’s “Strategic Dialogue” with Saudi Arabia is meeting these objectives.
- Helping Pakistan Handle the Threats from Extremists. The 9/11 Commissioners gave a “C+” grade on supporting Pakistan against extremists. This bill requires the President to submit a report to Congress on the long-term U.S. strategy to engage with the Government of Pakistan to address curbing the proliferation of nuclear weapons technology; combating poverty and corruption; promoting democracy and the rule of law; and effectively dealing with Islamic extremism. The measure also requires a certification that Pakistan is addressing the continued presence of the Taliban and other violent extremist forces throughout the country as a condition of continued assistance. In addition, it extends the

waiver of sanctions on Pakistan because of its military coup until after Pakistan's parliamentary elections.

- Maintaining a Long-Term Commitment to Afghanistan. This bill calls for the U.S. to maintain its long-term commitment to Afghanistan by increased assistance and the continued deployment of U.S. troops in Afghanistan. It also calls for the President to engage aggressively with the Government of Afghanistan and NATO to explore all options for addressing the narcotics crisis in Afghanistan. It also directs the President to make every effort to dramatically increase the numbers of U.S. and international police trainers, mentors and police personnel operating with Afghan civil security forces; and to address current short-term shortages of energy in Afghanistan, in order to ensure the delivery of electricity to Afghanis.

**Select Intelligence Oversight Panel (H.Res. 35):** The 9/11 Commission recognized the essential role that intelligence plays in protecting our citizens and our military personnel and made clear that congressional oversight of intelligence must be strengthened. In proposing intelligence oversight reform, one of the options that the commission recommended was combining authorizing and appropriating authorities in one panel. This resolution amends House rules to create a Select Intelligence Oversight Panel within the House Appropriations Committee. Members of the Appropriations Committee and the Intelligence Committee from the majority and the minority will serve on the Panel. All members will be appointed by the Speaker, with the minority party appointments recommended by the Minority Leader. The chairman and ranking member of the Appropriations Committee and the chairman and ranking member of the Defense Appropriations Subcommittee will serve on the Panel. The Panel will strengthen the oversight process by providing a mechanism for considering intelligence funding and other intelligence issues from the combined perspectives of the Appropriations and Intelligence Committees. The Panel will be primarily responsible for:

- Reviewing and studying, including through the hearings process, the President's budget submission for intelligence and the execution of intelligence activities;
- Making recommendations to the defense appropriations subcommittee and other appropriations subcommittees on intelligence programs, projects, and activities; and
- On an annual basis, preparing a report to the defense appropriations subcommittee containing budgetary and oversight observations and recommendations for use by the subcommittee in preparation of the classified annex to the defense appropriations bill.